

SUMMARY ANALYSIS OF AMENDED BILL

Author: Strickland Analyst: Deborah Barrett Bill Number: AB 1135
 Related Bills: See Prior Analysis Telephone: 845-4301 Amended Date: June 13, 2007
 Attorney: Patrick Kusiak Sponsor: _____

SUBJECT: State Agency Reports Required To Be Submitted To The Legislature Shall Include Signed Statement By The Head Of The Agency

DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced/amended _____.

AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.

AMENDMENTS DID NOT RESOLVE THE DEPARTMENT'S CONCERNS stated in the previous analysis of bill as introduced/amended _____.

FURTHER AMENDMENTS NECESSARY.

DEPARTMENT POSITION CHANGED TO _____.

REMAINDER OF PREVIOUS ANALYSIS OF BILL AS INTRODUCED February 23, 2007,

X STILL APPLIES.

OTHER – See comments below.

SUMMARY

This bill would require the head of certain public entities to certify in a signed statement that the information in legislatively mandated reports is true, accurate, and complete to the best of his or her knowledge.

SUMMARY OF AMENDMENTS

The June 13, 2007, amendments would revise the bill's provisions to be applicable to the factual contents of written reports submitted by a state agency to the Legislature, a Member of the Legislature, or any state legislative or executive body, and would provide a definition for "written report." The "This Bill" discussion has been revised. The remainder of the department's analysis of the bill as introduced February 23, 2007, still applies.

POSITION

Pending.

Board Position:

_____ S _____ NA _____ NP
 _____ SA _____ O _____ NAR
 _____ N _____ OUA _____ X PENDING

Legislative Director

Date

Brian Putler

6/22/07

THIS BILL

This bill would require the head of any state agency or department that is required to submit a written report to the Legislature, a Member of the Legislature, or any state legislative or executive body, to sign a statement that to the best of his or her knowledge the factual contents in the report are accurate, true, and correct. This bill specifies that in the case of such written reports submitted by the Franchise Tax Board, the executive officer will be required to sign this statement.

The bill's requirements would be applicable to every state agency or department including, but not limited to, elected officials of state government and any state official whose duties are prescribed by the California Constitution.

The bill would define a written report to be one of the following:

- A document required by statute to be prepared and submitted to the Legislature or any state legislative or executive body, or
- A document, summary, or statement requested by a Member of the Legislature.

The bill would provide that the declaration in the signed statement as to the truth, accuracy, and completeness of the factual contents of the written report would not apply to any predictions, forecasts, recommendations, or opinions contained in the written report.

Additionally, this bill would provide that any person who signs a statement declaring information in a report to be true, but knows the information to be false, would be liable for a civil penalty not to exceed \$20,000. The civil penalty would be assessed and recovered in a civil action brought in the name of the people of the State of California in any court of competent jurisdiction by the Attorney General.

LEGISLATIVE STAFF CONTACT

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